

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIAM ALEXANDER,

Plaintiff,

-against-

NYPD; DOC; FATHER SMITH; UNKNOWN
UNKNOWN,

Defendants.

22-CV-4610 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On June 9, 2022, the Court received this *pro se* action, purportedly brought by Liam Alexander. The Court determined that the complaint was actually filed by an individual named Sean Matthew Finnegan, who has a long history of filing frivolous and vexatious actions in this court.¹ Based on this litigation history, on February 7, 2022, Finnegan was barred from filing any new action IFP in this court without first obtaining from the court leave to file. *See Finnegan v. Dist. of Columbia Sup. Ct.*, ECF 1:21-CV-10946, 6 (S.D.N.Y. Feb. 7, 2022).

By order dated July 18, 2022, the Court directed Plaintiff to show cause within 30 days, by filing a declaration with documentary evidence showing that this action was actually filed by an individual whose legal name is Liam Alexander, why this action should not be dismissed pursuant to the bar order. (ECF 4.) That order stated that if Plaintiff fails to submit a declaration and other evidence within the time directed, the Court will dismiss the action under the bar order without prejudice to any civil action that Liam Alexander may wish to bring in the future.

¹ In making its determination, the Court noted that (1) the address listed in the complaint as belonging to Alexander is the same address Finnegan has provided for himself in numerous actions filed in this court; (2) Alexander recently filed an action in the Northern District of Illinois that alleged facts virtually identical to facts alleged by Finnegan in a prior action in this court; and (3) Finnegan has a history of filing cases under alternate names in order to circumvent the bar order. (*See* ECF 4.)

On August 2, 2022, the Court's order was returned with the notation, "Return to Sender Attempted – Not Known Unable to Forward."² Plaintiff has not responded to the Court's July 18, 2022, order, and has not provided the Court with a different address. The Court therefore dismisses this action under the bar order in *Finnegan*, ECF 1:21-CV-10946, 6, without prejudice to any civil action that Liam Alexander may wish to bring in the future.

The Court advises Finnegan that the bar order remains in effect.

CONCLUSION

The Court dismisses this action without prejudice to any civil action that Liam Alexander may wish to bring in the future.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: August 24, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

² The order was addressed to Liam Alexander and mailed to 421 8th Avenue, Unit 522, New York, NY 10116, which is the address provided by Plaintiff and the address that has been provided by Sean Matthew Finnegan in his prior cases.